

To: Williams, Mike[Mike.Williams@tetrattech.com]
Cc: Dorsey, Debra[Dorsey.Debra@epa.gov]
From: McCoy, Erin
Sent: Wed 1/11/2017 8:46:06 PM
Subject: RE: Des Moines TCE Site - Responses to Comments from Erin

Mike, here a few comments. Some additional ARARs may be applicable after tomorrows discussion. So, you may want your ARAR person in the call if available. Don't think that we really need anyone for the SPA. Let me know if you have any questions. Thanks!

From: Williams, Mike [mailto:Mike.Williams@tetrattech.com]
Sent: Monday, January 09, 2017 2:52 PM
To: McCoy, Erin <McCoy.Erin@epa.gov>
Subject: FW: Des Moines TCE Site - Responses to Comments from Erin

Hi Erin:

Here are Karen Miller's responses on some of the ARARs comments.

Thanks,

Mike

Hi All-

As for CAMUs and LDRs. The regs require that principal hazardous constituents (constituents that pose a risk to human health and the environment at levels substantially higher than the cleanup goals) be treated prior to going into a permanent CAMU. There is some flexibility with determining treatment levels, but several of those are predicated on a liner. So, if we have principal hazardous constituents (I don't know what concentrations were found), we'll need to talk about what would be the most effective route to go to get the concrete disposed of in the South Pond Area. We will talk about this tomorrow

Building Demo FS

1 – RCRA hazardous waste/RCRA listed waste/RCRA characteristic waste terminology. RCRA hazardous waste is a solid waste that is either a listed waste or a characteristic waste. It is correct to call either a listed waste or a characteristic waste - “hazardous waste.” Most of the Subtitle C regulations use the term “hazardous waste” because they are applicable to both listed waste and characteristic waste. This may be correct, however, most people will not know this. We need to be consistent within the same document. Not go back and forth with 3 different terms when discussing the same thing.

2 – Comment on ARARs Table 1, page 11: “Because we already know the building material contains P and U listed waste, we can’t dispose of it at a haz waste landfill – correct? Response: No, if the waste goes off-site, it must be disposed of at a hazardous waste landfill. I thought that it couldn’t be haz waste, but had to be one step up (stricter). It will also need to be treated first. The only way I know how to treat concrete is incineration (if we do not do it in-situ).

3 – Comment on ARARs Table 1, page 15: What is the definition of low-occupancy? Need to make sure that this definition includes recreational and businesses (i.e restaurants, etc) since this will likely be the development of this area. Response: Because the PCBs in the building are bulk product waste (since the PCBs in the paint will not be separated from the walls), the ARARs relating the PCB remediation waste, including the ARARs in this comment (761.61(a)(4)(v)), will be removed from the FS. Low occupancy is defined as 335 hours or less per year for bulk PCB remediation waste and 840 or less per year for nonporous surfaces. Usually future recreational users and future commercial/industrial workers (like those in restaurants) are on site more than 335 hours and so are usually considered a high-occupancy reuse. Please include this description in the footer.

South Pond Area FS

1 – Comment on ARARs Table 4, page 8. Double check that there are no chemical- or location-specific ARARs. Response: Potential chemical-specific ARARs were reviewed again and none were identified. Potential location-specific ARARs are identified in Table 4 and include the Migratory Bird Treaty Act and the Executive Order for Protection of Wetlands, and Clean Water Act Section 404 for the wetland. What about the WQC ARARs?

2 – Comment on ARARs Table 5, page 10: We’ve already determined that it is a P and U listed waste, at least in the buildings. Same would probably be the case here. Are the costs associated

with Alternative SP2 including disposal of P and U listed waste? Response: Yes. The costs take into account that the waste is P and U listed waste. We'll discuss this tomorrow.

3 – Comment on ARARs Table 6, page 25: Isn't the reestablishment of the wetlands an ARAR? Response: Yes. Clean Water Act Section 404 is identified as a potential federal location-specific ARAR and therefore Alternatives SP2 and SP3 must comply with the requirements for the discharge of dredge and fill in a wetland. The substantive provisions of Nationwide Permit 38 can be used as a means of complying with Clean Water Act Section 404. Alternative SP2 would not result in the permanent loss of a wetland, therefore no mitigation is required. Alternative SP3 would result in the permanent loss of the wetland. This loss will be mitigated off-site. Since ARARs apply to the on-site components of a remedial action, requirements for off-site mitigation are not identified as ARARs. Understood.

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